

In the
SUPREME COURT OF THE UNITED STATES
October Term, 1992
No.

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In re:

GEORGE SASSOWER,

Petitioner,
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x-----x
PETITION FOR A WRIT OF MANDAMUS and PROHIBITION
to the
U.S. CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT
and
CHIEF U.S. CIRCUIT COURT JUDGE THOMAS J. MESKILL
-----x

x-----x
MOTION FOR MANDATORY STAY [#2]
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GEORGE SASSOWER
Petitioner, pro se
16 Lake Street
White Plains, NY 10603
914-949-2169

MOTION FOR MANDATORY STAY

Petitioner moves this Court compel the respondents, U.S. Circuit Court of Appeals for the Second Circuit and Chief U.S. Circuit Court Judge Thomas J. Meskill, to process and adjudicate petitioner's unopposed application for a Temporary Restraining Order and Preliminary Injunction served on September 21, 1992 and filed with respondent-tribunal on October 6, 1992 in Sassower v. A.R. Fuels and Hyman Raffe (CCA Docket No. 92-7911/9047), a copy of which is annexed hereto (Exhibit "A"), as well as process and adjudicate petitioner's unopposed motions for a (1) general bias recusal, (2) for the disqualification of Chief U.S. District Court Judge Charles L. Briant, (3) summary

reversal, and (4) a mandatory [affirmative] stay in compliance with Rule 23.3 of the Rules of this Court.

Furthermore, petitioner requests that in the event the respondents fail to adjudicate petitioner's Temporary Restraining Order and Preliminary Injunction and other motions described herein on or before May 11, 1993, then it is prayed that the requested relief be deemed granted in all respects.

1. No previous applications has been made to this Court for the relief hereto sought herein.

2a. A.R. FUELS, INC. ["AR"] is judicially estopped from claiming that anything less than \$120,000 (plus interest) is due petitioner under contractually based claims, unrelated to PUCCINI CLOTHES, LTD. ["Puccini"].

b. Very substantial monies are due petitioner from HYMAN RAFFE ["Raffe"], contractual and otherwise.

4a. By depriving petitioner access to the courts, federal and state, in order to liquidate his assets, contractual and otherwise, petitioner must resort to food stamp public assistance and file his legal proceedings in forma pauperis.

b. In addition to petitioner's legal deprivations by reason of his lack of liquid assets, there is no legitimate reason for this needless burden on the public and judicial treasury.

5a. Petitioner's proposed order (Exhibit "A"), with specificity, sets forth the identities of some of the corrupt judges and officials, federal and state, with some of their unlawful and/or criminal acts.

b. The recitals in petitioner's unopposed injunction order includes the statement:

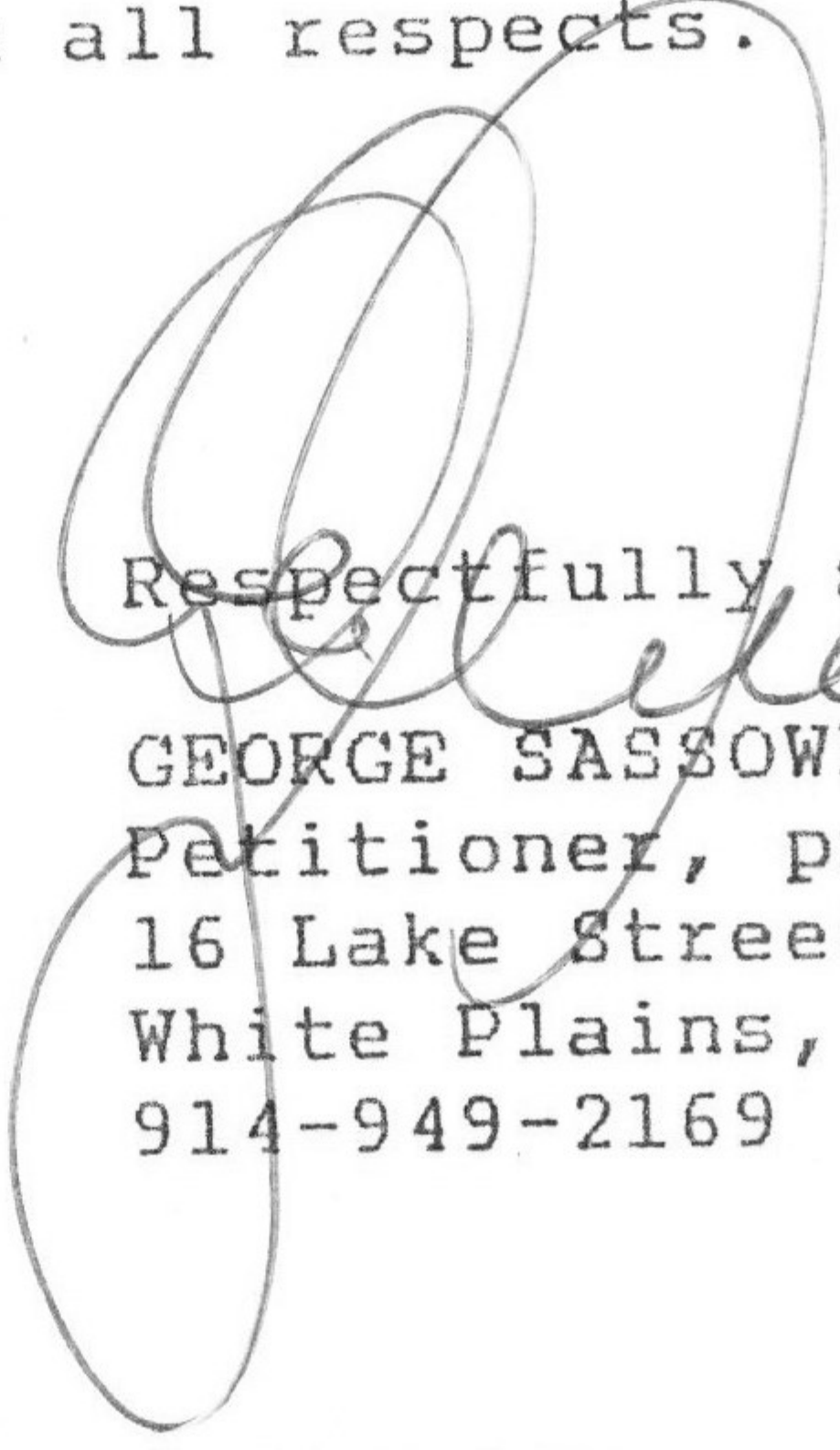
"it further appears that U.S. Chief District Judge CHARLES L. BRIEANT dragooned this action to himself for adjudication; and it further appears that there has existed and does exist between appellant, as plaintiff [petitioner], and Chief Judge Brieant, as a co-defendant, civil litigation wherein Chief Judge Brieant is being sued in his private capacity, and wherein there are no extant 28 U.S.C. §2679[d] 'scope' certificates; and it further appears that there was and are criminal charges publicly made by appellant against Chief Judge Brieant for the past several years which recently have been referred to the Federal Bureau of Investigation for investigation by the U.S. Attorney's Office; and it further appears that Chief Judge Brieant has been conducting himself in consort with Presiding Justice FRANCIS T. MURPHY of the Appellate Division, First Department, and they have been denying appellant access to the state and federal courts; and it further appears that in such cooperative activities by and between Chief Judge Brieant and Presiding Justice Murphy there is being extorted from Hyman Raffe 'millions of dollar' in order to avoid incarceration under a criminal conviction and a pending criminal proceeding..."

c. The payments to the "Brieant-Murphy syndicate" is by checks, concededly in excess of \$2,000,000, and the disposition by Chief Judge Brieant is void (cf. Liljeberg v. Health Services, 486 U.S. 847 [1988]).

d. Nevertheless, since petitioner seeks only adjudications from respondents, the merits of petitioner's appeals, applications and motions need not be belabored.

WHEREFORE, it is respectfully prayed that
petitioner's motion be granted in all respects.

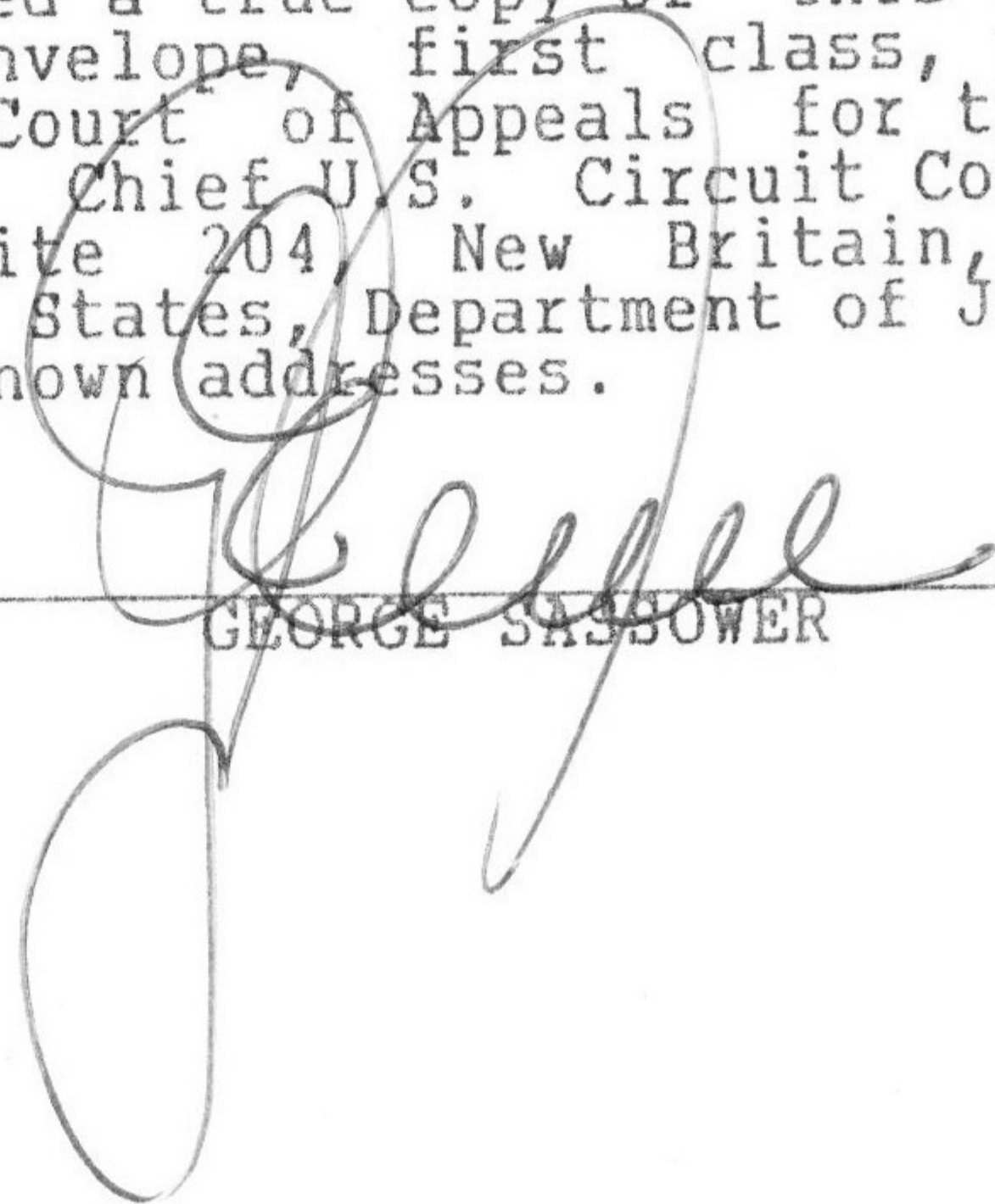
Dated: April 21, 1993


Respectfully submitted,
GEORGE SASSOWER
Petitioner, pro se.
16 Lake Street,
White Plains, N.Y. 10603
914-949-2169

CERTIFICATION OF SERVICE

On April 22, 1993, I served a true copy of this Notice and Exhibit by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to U.S. Circuit Court of Appeals for the Second Circuit, Foley Square, New York, NY 10007; Chief U.S. Circuit Court Judge Thomas J. Meskill, Old Post Office Plaza Suite 204, New Britain, Conn. 06051; and Solicitor General of the United States, Department of Justice, Washington, D.C. 20530, that being their last known addresses.

Dated: April 22, 1993



GEORGE SASSOWER

U.S. CIRCUIT COURT OF APPEALS
FOR THE SECOND CIRCUIT

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GEORGE SASSOWER,
 Plaintiff-Appellant,
 -against-
A.R. FUELS, INC. and HYMAN RAFFE,
 Defendants-Appellants.
-----x

CCA2-Docket Nos.
92-7911/9047
Temporary Restraining
Order and Preliminary
Injunction

It appearing to the satisfaction of this Court that appellant filed a complaint in the U.S. District Court for the Southern District Court of New York, dated February 28, 1992, three of the five causes of action contained therein being contractually based and constitutionally protected (U.S. Constitution, Article 1 §10[1], Amendment V), including two causes of action not related to PUCCINI CLOTHES, LTD.; and it further appears that where the liquidation of contractual assets are involved, needless delay, in and of itself, has constitutional implications; and it further appears that the defendant A.R. FUELS, INC. is judicially estopped from claiming that less than \$120,000, plus interest, is due appellant, in addition to the contractually based, constitutionally protected, money judgment in favor of appellant against PUCCINI CLOTHES, LTD. in the sum of more than \$50,000, inclusive of interest; and it further appears that U.S. Chief District Judge CHARLES L. BRIEANT dragooned this action to himself for adjudication; and it further appears that there has existed and does exist between appellant, as plaintiff, and Chief Judge Brieant, as a co-defendant, civil litigation wherein Chief Judge Brieant is being sued in his private capacity, and wherein there are no extant 28 U.S.C. §2679[d] "scope" certificates; and it further appears that

there was and are criminal charges publicly made by appellant against Chief Judge Brieant for the past several years which recently have been referred to the Federal Bureau of Investigation for investigation by the U.S. Attorney's Office; and it further appears that Chief Judge Brieant has been conducting himself in consort with Presiding Justice FRANCIS T. MURPHY of the Appellate Division, First Department, and they have been denying appellant access to the state and federal courts; and it further appears that in such cooperative activities by and between Chief Judge Brieant and Presiding Justice Murphy there is being extorted from Hyman Raffe "millions of dollars" in order to avoid incarceration under a criminal conviction and a pending criminal proceeding; and it further appears that in order to avoid incarceration under an Order by former N.Y. State Supreme Court Justice ALVIN F. KLEIN, as was appellant and SAM POLUR, Esq., Hyman Raffe was compelled to agree to execute releases in favor of all federal judges in the United States District Court for the Eastern and Southern District of New York and all the N.Y. Supreme Court Justices of New York County; and it further appears that many members of this Court are being sued by appellant in their private capacities, and there are no 28 U.S.C. §2869[d] "scope" certifications for those judges of this Court, and that appellant has publicly made criminal charges against members of this Court; and due notice of this application having been given to the interested parties, it is

ORDERED, that a general bias situation exists between this Court, its members and the appellant, compelling all the members of this Court to recuse themselves; and it is further

ORDERED, that notwithstanding such recusal, as a matter of ministerial constitutional compulsion, permitting no discretion whatsoever, Article III of the United States Constitution mandates that access to the courts cannot be denied to appellant since he has cognizable federal "cases or controversies" that have heretofore never been adjudicated; and it is further

ORDERED, that the administrative procedures employed by Chief Judge Brieant, wherein he dragooned this action to himself, violated appellant's constitutional rights, particularly since a disqualifying bias situation exists between appellant and Chief Judge Brieant; and it is further

ORDERED, that pending the ability of appellant to liquidate his constitutionally protected interests, either in the state court and/or federal court, all courts in this circuit, state and federal, be and they are hereby judicially estopped from making any demand upon appellant for fees or for the making of any 28 U.S.C. §1915 or similar analysis of his filings, and it is further

ORDERED, that the Clerk of the U.S. District Court for the Southern District of New York shall forthwith issue process for appellant's filings in this matter, and make a judicial assignment by the usual wheel, random selection, process; and it is further

ORDERED, that all further proceedings in this matter be determined by the Court and panel hereinafter assigned of another Circuit.

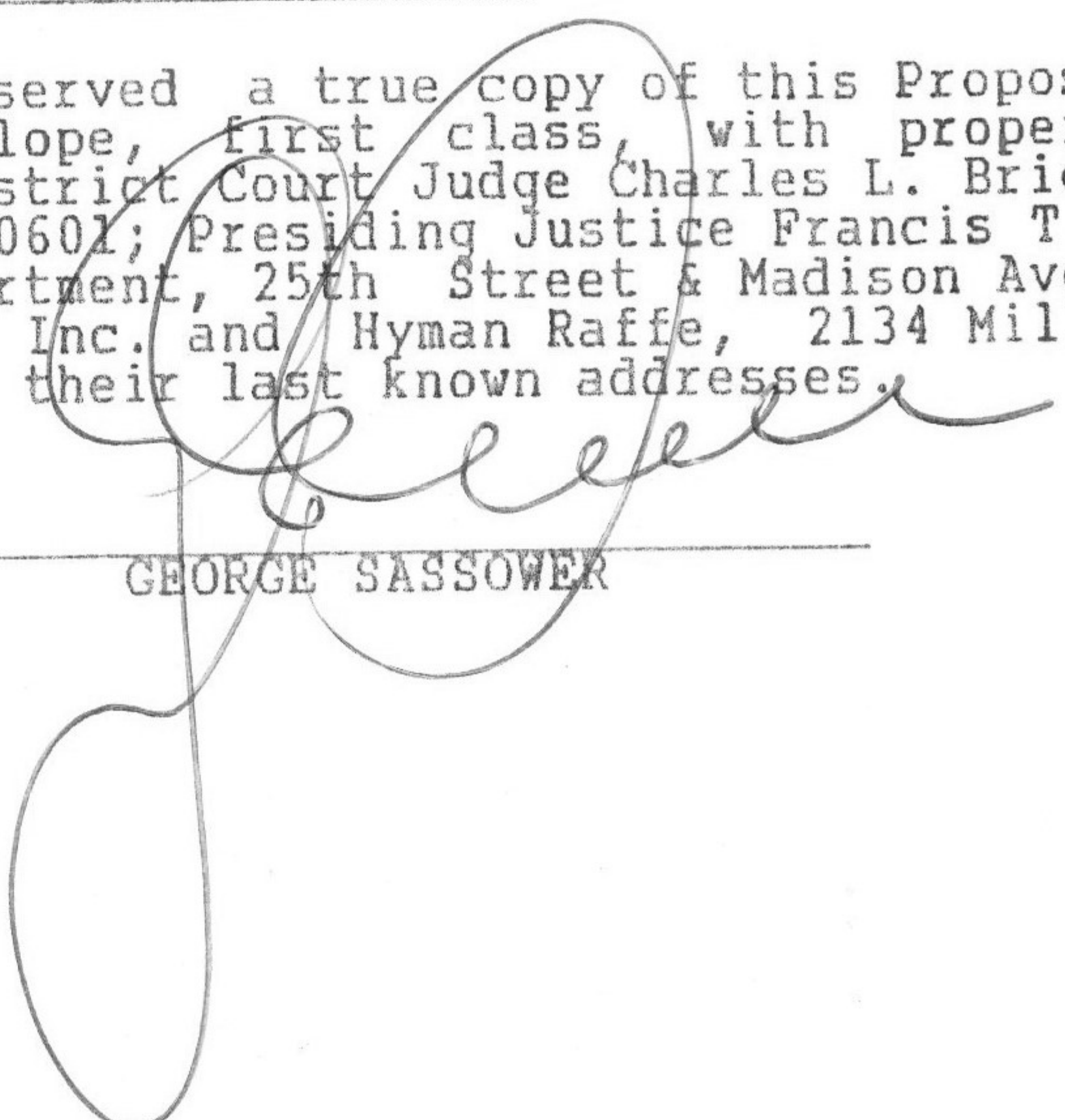
Dated: New York, New York
October , 1992
at o'clock m.

U.S. CIRCUIT COURT JUDGE
SECOND CIRCUIT

CERTIFICATION OF SERVICE

On September 21, 1992 I served a true copy of this Proposed Order by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Chief U.S. District Court Judge Charles L. Brieant, 101 East Post Road, White Plains, N.Y. 10601; Presiding Justice Francis T. Murphy, c/o Appellate Division, First Department, 25th Street & Madison Avenue, New York, N.Y. 10010; and A.R. Fuels, Inc. and Hyman Raffe, 2134 Mill Avenue, Brooklyn, New York 11234, that being their last known addresses.

Dated: September 21, 1992



GEORGE SASSOWER